



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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Installation of two self-composting toilets on the Middle Fork American River (CA-180-11-43) Finding of No Significant Impact August 2011

It is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of impacts addressed by the Sierra Resource Management Plan (RMP). Thus, the proposed action does not constitute a major federal action having a significant effect on the human environment; therefore, an environmental impact statement (EIS) is not necessary and will not be prepared. This conclusion is based on my consideration of CEQ's following criteria for significance (40 CFR §1508.27), regarding the context and intensity of the impacts described in the EA and based on my understanding of the project:

- 1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.* Potential impacts include vegetation removal, soil disturbance and temporary noise and dust.
- 2) The degree of the impact on public health or safety.* No aspects of the proposed action have been identified as having the potential to significantly and adversely impact public health or safety. In fact, the project is designed to prevent human waste problems.
- 3) Unique characteristics of the geographic area.* The project areas are along a stretch of the Middle Fork American River which was determined eligible for "scenic" designation and was identified as having outstandingly remarkable values (ORVs). The ORVs included scenery and whitewater recreation. These ORVs would not be negatively affected. The location and design of the toilets are designed to prevent the scenic values from being diminished. The whitewater ORV would be enhanced by the facilities.
- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* No anticipated effects have been identified that are scientifically controversial. As a factor for determining within the meaning of 40 C.F.R. § 1508.27(b)(4) whether or not to prepare a detailed environmental impact statement, "controversy" is not equated with "the existence of opposition to a use." *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). "The term 'highly controversial' refers to instances in which 'a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.'" *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).
- 5) The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* The analysis does not show that the proposed action would involve any unique or unknown risks.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The proposed action is not precedent setting.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No significant project specific or cumulative impacts have been identified. The proposed action is consistent with the Sierra RMP.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* The proposed action would not adversely affect cultural resources listed on or eligible for the National Register of Historic Places.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* No ESA listed species (or their habitat) are known to occur in the area potentially affected by the proposed action.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that the proposed action will result in actions that will threaten such a violation.

William S. Haigh
Field Manager,
Mother Lode Field Office

Date



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EA Number: CA-180-11-43

Proposed Action: Installation of two self-composting toilets on the Middle Fork American River

Location: San Francisco Bar site: MDM, T 13 N, R 10 E, Section 14
Canyon Creek site: MDM, T 13 N, R 10 E, Section 19
Placer County (refer to the attached maps)

1.0 Purpose of and Need for Action

The “Tunnel Chute” stretch on the Middle Fork of the American River is a popular 14 mile Class III-IV whitewater rafting run from Indian Bar near Oxbow Powerhouse to Drivers Flat/Greenwood. The whitewater boating use on this run is primarily commercial outfitters and their clients operating under concession contracts with California State Parks. Approximately 20,000 visitors complete this run annually. Up to 360 commercial clients and guides can float this run per day. The flows that can accommodate whitewater rafters are limited to a three or four hour window during the summer season. Many of the gravel bars used as rest or lunch stops are not accessible by road. This pattern of use can result in high concentrations of whitewater boaters in relatively confined areas since several outfitters may use the same lunch/rest stop. While whitewater outfitters are required to carry portable toilets for their clients use, compliance is less than perfect, and these locations experience human waste problems from the brief but concentrated recreation use.

In 2003-2004 three self-composting toilets were installed along the Middle Fork of the American River to address human waste problems occurring at sites along the river due to whitewater boating use. These toilets were installed at Upper Fords Bar, Lower Fords Bar, and Canyon Creek. A fourth toilet was planned to be installed at San Francisco Bar, but funding only permitted the installation of three toilets.

The Canyon Creek self-composting toilet burned down completely in a fire during the summer of 2010. Under the proposed action described in this EA, a new self-composting toilet would replace (at exactly the same location) the toilet that burned down. The Canyon Creek site is used as a lunch stop by whitewater boaters including commercial outfitters. Canyon Creek is also an access point for commercial outfitters to take out their gear boats. The San Francisco Bar site is a popular lunch stop and occasional overnight camping location for whitewater boaters on the Tunnel Chute run. Installing a composting toilet at this site would help relieve the use pressure at the Upper and Lower Fords Bar and Canyon Creek sites, which attract more use because of the composting toilets.

The purpose of the self-composting toilets is to serve whitewater boaters and prevent human waste problems at remote sites along the Middle Fork. A toilet would be installed at a site near the Canyon Creek confluence (river right, across from the confluence) and at another site known as San Francisco Bar. The Canyon Creek site is approximately one mile upstream from Ruck-a-Chucky Rapid and the San Francisco Bar site is approximately six miles upstream from Ruck-a-Chucky Rapid.

1.2 Conformance with Applicable Land Use Plans

The proposed action is consistent with the Sierra Resource Management Plan Record of Decision (ROD), approved in February 2008. On page 26 of the ROD it states, under recreation 2.15, that a goal is to “Ensure the continued availability of outdoor recreational opportunities while protecting other resources and uses.” The BLM manages the Middle Fork American River parcels as an “extended recreation management area” or ERMA. On page 29 of the ROD a management objective for ERMA is to “Manage for air quality, significant biological and cultural resources, watershed protection, and public health and safety.”

2.0 Proposed Action and Alternatives

Under the proposed action, the California Department of Parks and Recreation (State Parks) would install a self-composting toilet at two sites on BLM-administered land along the Middle Fork of the American River within Auburn State Recreation Area. The self-composting toilets would consist of two-story wood-frame buildings approximately 10’ wide x 13’ long x 16’ high. The first story would house the composting unit and the second story would house two toilet rooms. The buildings would be built on a concrete slab with concrete perimeter wall/footing. The toilet rooms would be accessed via a ramp and deck with railing which is part of the buildings (see attached drawings/plans). The building exterior finishes would be in brown or tan to blend into the environment.

2.1 Project Design Features

The placement of the two facilities will maximize natural visual screening to the extent possible, minimizing the visual impacts to river users. Both the Canyon Creek and San Francisco Bar sites are well outside the flood plain

There are current infestations of weeds including yellow starthistle which were presumably exacerbated if not caused by the 2010 fire at the Canyon Creek site. The recreation area at the Canyon Creek site is recommended to be assessed and treated to prevent further spread of CDFG-listed weeds in the Middle Fork American River canyon and to limit the nuisance to recreational users.

At the San Francisco Bar site, appropriate care should be taken during construction to not introduce weed propagules. Machinery and personal equipment should be thoroughly cleaned prior to entering the site.

2.3 No Action

Under the no action alternative, the two self-composting toilets would not be built. There would be no toilets to serve whitewater boating at these remote locations on the Middle Fork of the American River. It is likely that human waste problems would occur at these sites.

2.4 Alternatives Considered but Eliminated from Detailed Analysis

The possible alternative of requiring commercial rafting outfitters to carry in portable toilets as an alternative to the constructing permanent facilities was considered, but later determined to be infeasible due to the lack of proper disposal facilities at the take-out and problematic enforcement concerns.

3.0 Affected Environment

No rare soil types are known to exist in the construction sites or the surrounding area. Erosion control practices would be employed during construction, so no negative effects to soils are anticipated. With respect to water quality/hydrology, the composting toilet design that would be used is a closed system solids and liquids are composted or evaporated within the facility. No adverse effects to water quality are expected. The construction sites are above the mean high water for this reach of river. Both sites are outside the flood plain, so no negative effects on hydrology are expected.

The location of the proposed facilities were surveyed for special status plants by the BLM botanist in June 2011. The surveys were designed to help the BLM meet its obligations under the Endangered Species Act and other special status plant policies. Similar known locations with *C. brandegeae* were checked and the species was identifiable at this time. *Clarkia biloba* ssp. *brandegeae*, Brandegeae's clarkia, a BLM sensitive species, was not found in the project areas.

At the San Francisco Bar site the project area is river cobble with scattered *Salix* and herbaceous perennials transitioning to *Quercus wislizeni* woodland alliance as classified in *The Second Edition of A Manual of California Vegetation* by John Sawyer, Todd Keeler-Wolf, and Julie Evens (2008, California Native Plant Society). The immediate project site contains various annual grasses, *Grindelia*, *Eriogonum nudum*, *Eriophyllum*, *Toxicodendron diversilobum* (poison oak), *Madia*, *Lupinus* and *Aesculus californica* (California buckeye). The herbaceous vegetation will be replaced by a composting toilet; the buckeye may be removed. Nearby shrubby *Cercis occidentalis* (redbud), *Heteromeles arbutifolia* (toyon), *Vitis californica* (California wild grape), *Rubus* (blackberry) and *Q. wislizeni* are within the transition to a hilly woodland alliance.

At the Canyon Creek site the project area was heavily impacted the wildfire in the summer of 2010. Vegetation is primarily annual grasses, *Centaurea solstitialis* (yellow starthistle) and sprouting *Q. wislizeni*. There is an abundance of yellow starthistle near the project area.

Wildlife is typical for the habitat/elevation in the western Sierra Nevada. Based on looking at photos of the site, the BLM wildlife biologists has recommended that there are no special status wildlife species or habitat to support these species present in the footprint of the proposed action or the area immediately surrounding the proposed project.

A cultural resource study including backgrounds record search and field inventory was performed by the BLM archaeologist in June 2011. The study was designed to help the BLM meet its requirements under Section 106 of the National Historic Preservation Act. The archaeologist found that no cultural resources eligible for, or listed on, the National Register of Historic Places would be affected by the proposed action.

The Middle Fork of the American River below the Oxbow Reservoir is a popular commercial whitewater run; several Whitewater companies operate outfitted trips in the spring and summer months. Beginning in the early 1980s, thousands of commercial river users have run this river. This reach of river also attracts private whitewater users, but not in significant numbers. The Western States Trail, very popular with equestrians and endurance racers attract hundreds of participants annually, for racing and training throughout the year. Fishing from use trails and road accessible areas is popular during trout season. One campground, managed by the USFS exists along this reach of river. This campground gets very little use due mostly to difficult access associated with the poorly maintained road into the canyon.

The Middle Fork of the American River, from Oxbow Dam to the confluence with the North Fork of the American River was found to be eligible for Wild and Scenic designation under the Wild and Scenic River Act of 1968. The eligibility study, completed between 1991 and 1993, found this segment of river to be eligible for the "Scenic" designation. The specific classification criteria for this reach area 1A (shoreline development), 2B (accessibility) and 3B (water quality). Outstandingly Remarkable Values (ORVs) identified for this reach included recreation and specifically the whitewater recreation in the Class IV run and the Western States Trail, which is the venue for the Tevis Cup 100-mile ride and the 100-mile endurance run. The scenery was identified as an ORV for the deep and steep canyon walls, rugged terrain and the whitewater features of Ruck-a-Chucky Rapid and Tunnel Chute. Other ORVs identified include wildlife (foothill yellow-legged frog, Townsend big-

eared bat, pallid bat, etc.), fish (rainbow trout and habitat produced by cold water releases from Oxbow Powerhouse) and cultural (the tunnel blasted for mining at Horseshoe Bar).

4.0 Environmental Effects

The following critical elements have been considered for this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposal: air quality, areas of critical environmental concern, prime/unique farmlands, floodplains, hazardous waste, wetlands and riparian zones, wilderness, and environmental justice.

4.1 Impacts of the Proposed Action and Alternatives

Soil resources: no rare soil types are known to exist in the construction sites or the immediately surrounding area. Erosion-control practices will be employed during construction, so no effects to soils are anticipated.

Water quality/hydrology: the composting toilet design would entail a closed system. Solids and liquids are composted or evaporated within the facility. Whitewater boaters and other recreation users would have state of the art facilities to use. These facilities would reduce human waste problems at these sites. This would have a positive effect on water quality. No adverse effects to water quality are expected. The construction sites are both above the mean high water for this reach of river. Both sites are outside the flood plain. No effects on hydrology are expected.

Botanical resources/invasive weeds: the BLM botanist has conducted a botanical study of the project area. She conducted a field inventory in month/year when conditions were near optimal for plant identification within the project area. The study is designed to help the BLM meet its obligations under the Endangered Species Act and other authorities. No federally listed or other special status plants were identified within the project areas. Approximately a quarter of an acre of habitat would be developed. Impacts to the San Francisco Bar site may include increased use of the bar for recreation with resulting increased trampling of native plants and possible introduction of nonnative plants; this is a seasonal effect and there are no special status species; overall impacts are expected to be negligible. The Canyon Creek site has been highly impacted by human use; no impacts to sensitive botanical resources are anticipated.

Wildlife resources: the BLM wildlife biologist has analyzed the impacts of the proposed action on wildlife, especially on special status wildlife. Her analysis is designed to help the BLM meet its obligations under the Endangered Species Act and other authorities. No federally listed or other special status wildlife was identified within the project area. The small footprint of the projects (10' by 13') and the fact that one facility is replacing one burned in a 2010 fire adds to the conclusion of no impacts to special status or other wildlife/fisheries.

Cultural/Native American resources: the BLM archaeologist has conducted a cultural resources study of the project areas, in accordance with Section 106 of the National Historic Preservation Act and other authorities. No cultural resources eligible for, or listed on, the National Register of Historic Places would be affected by the proposed action.

Recreation, Wild and Scenic, and visual resources: the ORVs which might be affected by the installation of the two self-composting toilets are the scenery and the recreation. The toilets would largely not be able to be seen from the Western States Trail and hence would not impact the trail or trail users. The purpose of the toilet is to serve the whitewater recreation use, so the construction of the toilets is not inconsistent with the recreation ORV. The toilets would be located approximately 150 to 200 feet from the edge of the river at normal summer flows. The structures would be at least partially screened by existing vegetation. The structures would be finished in brown and tan colors to blend into

the environment. The toilets would only be able to be seen from the river from near to middle views as whitewater user's travel down the river. The structures will not be visible in longer views up or down the river. Views of the toilets from the river would be brief and viewers would need to be looking in the direction of the toilets in order to notice them. The 1A shoreline development attribute is described as follows:

Essentially primitive. Little or no evidence of human activity. The presence of a few inconspicuous structures, particularly those of historic or cultural value is acceptable.

The two small toilet structures, partially screened and finished to blend into the background environment fit the attribute criteria of "a few inconspicuous structures". The criteria merely notes that historic structures are particularly acceptable, it does not exclude modern structures which otherwise fit the criteria from being acceptable. It is anticipated that temporary impacts to recreation users during construction would occur (Construction equipment, noise etc.) These impacts would be short term, and would take place when the public is less likely to be recreating near the sites.

4.2 Impacts of the No Action Alternative

Soil resources/water quality/hydrology: under the no action alternative, human waste problems are possible but are unlikely to seriously affect water quality.

Botanical resources/invasive weeds: under the no action alternative, no special status plants or their habitat would be affected by the proposed action. Invasive weed populations would not be affected.

Wildlife resources: human waste issues would continue to occur without the additional composting toilets at the two sites. Human waste concentrations may affect water quality in a localized area which could potentially impact fish and aquatic macro-invertebrates (fish food). Overall impacts of the no action alternative to fish and aquatic macro-invertebrates would be localized and negligible. Building composting toilets to contain human waste can benefit fish and wildlife, even if overall impacts are potentially very low.

Cultural/Native American resources: under the no action alternative, no cultural resources eligible for, or listed on, the National Register of Historic Places would be affected.

Recreation, Wild and Scenic, and visual resources: Human waste accumulation would make these desirable camping/lunch sites unusable and potentially unhealthy. This would create a negative management condition. The lack of facilities at these sites would create an undesirable management condition and potentially adversely impact the recreation Wild and Scenic ORV. If facilities were no longer provided or expanded, a human waste carry-out system would have to be implemented. These systems require monitoring at put-in/take-out and are not effective for one-day trips, which is the norm for this whitewater run.

4.3 Cumulative Impacts

Given the very small scope of the proposed action, negative cumulative impacts (i.e., development within a wild and scenic corridor) are not anticipated. In fact, the proposed action would be beneficial to the recreation users of this river and would enhance the recreation ORV. No effects on water quality, significant cultural resources, and special status species would occur; these facilities would have an overall positive effect on water quality and the environment.

5.0 Agencies and Persons Consulted

California Department of Parks and Recreation

5.1 BLM Interdisciplinary Team

Reviewers:

/s/ James Barnes

NEPA coordinator/Archaeologist

/s/ Jeff Horn

Outdoor Recreation Planner

/s/ Lauren Fety

Botanist

/s/ Peggy Cranston

Wildlife biologist

5.2 Availability of Document and Comment Procedures

This EA, posted on Mother Lode Field Office's website (www.blm.gov/ca/motherlode) under Information, NEPA (or available upon request), will be available for a 15-day public review period. Comments should be sent to the Mother Lode Field Office, 5152 Hillsdale Circle, El Dorado Hills, CA 95762 or emailed to us at jjbarnes@blm.gov.

